FILED
MAR 03 2008
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY DEPUTY

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, v. Guillermo CRUZ-Villa Defendant.	Magistrate Case No.: '08 MJ 8190 COMPLAINT FOR VIOLATION OF 21 U.S.C. § 952 and 960 Importation of a Controlled Substance (Felony)

The undersigned complainant being duly sworn states:

That on or about March 1, 2008, within the Southern District of California, defendant Guillermo CRUZ-Villa did knowingly and intentionally import approximately 25.84 kilograms (56.85 pounds) of marijuana a Schedule I Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.

Diana Lacuesta, Special Agent
Immigration & Customs Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 3RD, DAY OF MARCH 2008.

PETER C. LEWIS
UNITED STATES MAGISTRATE JUDGE

PROBABLE CAUSE STATEMENT

I, Special Agent Diana Lacuesta with the United States Immigration and Customs Enforcement, declare under penalty of perjury, the following is true and correct:

On March 1, 2008, at approximately 1552 hours, Guillermo CRUZ-Villa entered the United States from the Republic of Mexico at the Calexico West, Port of Entry. CRUZ was the driver of a 1993 Toyota Previa bearing Baja California, Mexico license plate BDR2922.

At Primary Inspection, CRUZ gave a negative Customs Declaration to Customs and Border Protection (CBP) Officer Bejarano. The Officer observed CRUZ' hands shaking and referred CRUZ and his vehicle to Vehicle Secondary.

In Secondary, a CBP Narcotic Detector Dog alerted to the odor of narcotics emitting from the vehicle. CBP Officer Aguilar obtained a negative declaration from CRUZ.

The examination of the vehicle resulted in the discovery of a total of 21 packages, wrapped in clear cellophane plastic and black electrical tape concealed in the quarter panels. A presumptive chemical test indicated the contents of these packages to be marijuana. The total weight of the packages was approximately 25.84 kilograms.

CRUZ was notified of his arrest and advised of his Miranda Rights, in the English language, which he acknowledged and waived. During the interview, CRUZ admitted knowing there was marijuana in the vehicle. CRUZ admitted he was to be paid $2,500.00 U.S. dollars for this smuggling venture.

Executed on March 2, 2008 at 0930 hours.

Dana Lacuesta
SPECIAL AGENT

On the basis of the facts presented in the attached probable cause statement consisting of 2 pages, I find probable cause to believe that the defendant named in this probable cause statement committed the offense on March 1, 2008, in violation of Title 21, United States Code, Sections 952 and 960.

[signature]
United States Magistrate Judge

3/2/08 @ 1:48pm
Date/Time